S. R. A.—Chem. 16. Issued January 26, 1916.

U. S. DEPARTMENT OF AGRICULTURE,
BUREAU OF CHEMISTRY.
C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

No. 16.

CONTENTS.

NOTICE OF PUBLIC HEARING.

A hearing on the question whether single hams and single sides of bacon which are wrapped or covered with paper, cloth, or gelatin are in "package form" will be held in the Bureau of Chemistry, 216 Thirteenth Street SW., Washington, D. C., at 2 p. m., March 8, 1916.

The net weight amendment to the Federal Food and Drugs Act provides that an article of food in package form shall be considered misbranded within the meaning of the act if the quantity of the contents be not plainly marked on the outside of the package. The Department of Agriculture has already expressed the opinion that hams and single sides of bacon covered, as is customary in the trade, with paper, cloth, or gelatin are not "in package form" within the meaning of the amendment. This opinion has been published as information 17 in Service and Regulatory Announcements, Chemistry 6, issued July 17, 1914. It was also embodied in a circular letter from the Bureau of Animal Industry, dated September 1, 1914, issued for the guidance of inspectors at packing establishments throughout the country.

Recently the department has received requests for a reconsideration of this question, and a public oral hearing on the matter has been set for March 8. All interested in the subject are invited to attend the hearing and make such representations as they desire. Those who are unable to attend in person may submit their views in writing. Such communications should be addressed to the Chief of the Bureau of Chemistry, United States Department of Agriculture, Washington, D. C.

FOOD INSPECTION DECISION 159. CERTIFICATION OF MIXTURES CONTAINING COAL-TAR COLORS. (AMENDING FOOD INSPECTION DECISIONS 77, 106, AND 129.)

Hereafter, no mixture containing one or more certified coal-tar dyes, in combination with other components, constituents, or ingredients not coal-tar dyes, will be certified unless the manufacturer shall make and deposit with the Secretary of Agriculture a declaration that each and every package in which any of such mixture shall be sold or offered for sale shall have, plainly and conspicuously declared upon the label or container, a statement of the quantity or proportion of the certified dye or dyes present in the mixture.

Food Inspection Decisions 77, 106, and 129 are amended accordingly.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *December 28, 1915.*

FOOD INSPECTION DECISION 160. GLUTEN PRODUCTS AND "DIABETIC" FOOD.

The following definitions and standards for gluten products and "diabetic" food were adopted by the Joint Committee on Definitions and Standards April 9, 1915, and were approved by the Association of American Dairy, Food, and Drug Officials August 3, 1915, and by the Association of Official Agricultural Chemists November 17, 1915:

Ground gluten is the clean, sound product made from wheat flour by the almost complete removal of starch and contains not more than ten per cent (10%) of moisture, and, calculated on the water-free basis, not less than fourteen and two-tenths per cent (14.2%) of nitrogen, not more than fifteen per cent (15%) of nitrogen-free extract (using the protein factor 5.7), and not more than five and five-tenths per cent (5.5%) of starch (as determined by the diastase method).

Gluten flour is the clean, sound product made from wheat flour by the removal of a large part of the starch and contains not more than ten per cent (10%) of moisture, and, calculated on the water-free basis, not less than seven and one-tenth per cent (7.1%) of nitrogen, not more than fifty-six per cent (56%) of nitrogen-free extract (using the protein factor 5.7), and not more than forty-four per cent (44%) of starch (as determined by the diastase method).

Gluten flour, self-raising, is a gluten flour containing not more than ten per cent (10%) of moisture, and leavening agents with or without salt.

"Diabetic" food. Although most foods may be suitable under certain conditions for the use of persons suffering from diabetes, the term "diabetic" as applied to food indicates a considerable lessening of the carbohydrates found in ordinary products of the same class, and this belief is fostered by many manufacturers on their labels and in their advertising literature.

A "diabetic" food contains not more than half as much glycogenic carbohydrates as the normal food of the same class. Any statement on the label which gives the impression that any single food in unlimited quantity is suitable for the diabetic patient is false and misleading.

The foregoing definitions and standards are adopted as a guide for the officials of this department in enforcing the Food and Drugs Act.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *January 3, 1916.*

FOOD INSPECTION DECISION 161. MAPLE PRODUCTS.

The following definitions and standards for maple products were adopted by the Joint Committee on Definitions and Standards June 4, 1915, and were approved by the Association of American Dairy, Food, and Drug Officials August 3, 1915, and by the Association of Official Agricultural Chemists November 17, 1915:

Maple sugar, maple concrete, is the solid product resulting from the evaporation of maple sap or maple sirup.

Maple sirup is sirup made by the evaporation of maple sap or by the solution of maple concrete, and contains not more than thirty-five per cent (35%) of water and weighs not less than eleven (11) pounds to the gallon (231 cu. in.).

The foregoing definitions and standards are adopted as a guide for the officials of this department in enforcing the Food and Drugs Act.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *January 3, 1916.*

FOOD INSPECTION DECISION 162. EGG NOODLES AND PLAIN NOODLES.

The following definitions and standards for egg noodles and plain noodles were adopted by the Joint Committee on Definitions and Standards June 4, 1915, and were approved by the Association of American Dairy, Food, and Drug Officials August 3, 1915, and by the Association of Official Agricultural Chemists November 17, 1915:

Noodles, egg noodles, are dried alimentary pastes made from wheat flour and egg. They contain not less than five per cent (5%) by weight of the solids of whole, sound egg exclusive of the shell.

Plain noodles, water noodles, are dried alimentary pastes made from wheat flour without egg, or with less than five per cent (5%) by weight of the solids of whole, sound egg exclusive of the shell.

Standards for moisture in these products are under consideration.

The foregoing definitions and standards are adopted as a guide for the officials of this department in enforcing the Food and Drugs Act.

D. F. Houston, *Secretary of Agriculture.*

Washington, D. C., *January 3, 1916.*

FOOD INSPECTION DECISION 163. AMENDING REGULATION 29, WHICH RELATES TO MARKING THE QUANTITY OF FOOD IN PACKAGE FORM.

Regulation 29 of the Rules and Regulations for the Enforcement of the Food and Drugs Act is hereby amended by striking out paragraphs (*d*) and (*e*), and substituting therefor the following:

(*d*) If the quantity of the contents be stated by weight or measure, it shall be marked in terms of the largest unit contained in the package, except that, in the case of an article with respect to which there exists a definite trade custom for marking the quantity of the article in terms of fractional parts of larger units, it may be so marked in accordance with the custom. Common fractions shall be reduced to their lowest terms; decimal fractions shall be preceded by zero and shall be carried out to not more than two places.

(*e*) Statements of weight shall be in terms of avoirdupois pounds and ounces; statements of liquid measure shall be in terms of the United States gallon of 231 cubic inches and its customary subdivisions, i. e., in gallons, quarts, pints, or fluid ounces, and shall express the volume of the liquid at 68° F. (20° C.); and statements of dry measure shall be in terms of the United States standard bushel of 2,150.42 cubic inches and its customary subdivisions, i. e., in bushels, pecks, quarts, or pints: Provided, That statements of quantity may be in terms of metric weight or measure. Statements of metric weight should be in terms of kilograms or grams. Statements of metric measure should be in terms of liters or centiliters. Other terms of metric weight or measure may be used if it appears that a definite trade custom exists for marking articles with such other terms and the articles are marked in accordance with the custom.

W. G. McAdoo, *Secretary of the Treasury.*
D. F. Houston, *Secretary of Agriculture.*
William C. Redfield, *Secretary of Commerce.*

Washington, D. C., *January 5, 1916.*

152. REQUEST FOR MODIFICATION OF FOOD INSPECTION DECISION 82 DENIED.

At a hearing held on June 4, 1915, a modification or revocation of Food Inspection Decision 82, on the labeling of coffee produced in the Dutch East Indies, was requested. Representations made at this hearing and others communicated to the bureau by correspondence have been considered. The request is denied.

153. CONFECTIONERY KNOWN AS "COUNT" GOODS.

Careful consideration has been given to the statements made at the hearing held on October 9, 1915, upon the subject of the marking under the net weight amendment to the Food and Drugs Act of the quantity of the contents of that class of confectionery known in the trade as "count" goods.

It is understood that the term "count" goods, as used in the trade, comprehends only confectionery which is sold by the manufacturer to the jobber and by the jobber

to the retailer at a price per box, each box containing a definite number of pieces, and is sold by the retailer to the consumer at a price per piece. The individual pieces of confectionery are either unwrapped or are wrapped in transparent paper.

The net weight amendment requires that the quantity of the contents of food in "package form" shall be stated "in terms of weight, measure, or numerical count."

Regulation 29 of the Rules and Regulations for the Enforcement of the Food and Drugs Act, as amended (Food Inspection Decision 154, par. (*g*)), provides that the quantity of the contents shall be stated in terms of weight or measure unless the package be marked by numerical count and such numerical count gives accurate information as to the quantity of the food in the package.

It was represented that the so-called "count" goods are customarily placed in boxes and that the number of pieces in each box is stated plainly and conspicuously on the outside thereof.

The Bureau of Chemistry inclines to the opinion that such a statement gives accurate information of the quantity of the confectionery in the package. Accordingly, it is announced that unless and until it shall hereafter give notice to the contrary, the bureau will not regard as being in violation of the net weight amendment to the Federal Food and Drugs Act the class of confectionery known as "count" goods as described herein, if the quantity of the contents is plainly and conspicuously stated on the outside of the package in terms of numerical count.

154. USE OF TERM "OUNCES" IN PLACE OF "FLUID OUNCES."

The Bureau of Chemistry will not recommend the detention of importations or prosecution for shipment in interstate commerce of liquid foods which are imported, or shipped in interstate commerce, prior to July 1, 1916, solely on account of the fact that the expression "ounces," or its equivalent, is not accompanied by the expression "fluid."

155. DECLARATION OF THE QUANTITY OF CONTENTS OF BERRIES IN SMALL OPEN CONTAINERS. (Supplementing Item 110 in S. R. A., Chem. 13, p. 3.)

Pending a determination of the question whether the net weight amendment applies to berries in small open containers (such as those which usually hold 1 quart or 1 pint each, and which are commonly placed, without covers, in crates, each crate holding a number of the small containers) and unless public notice of not less than two months be given, the department will not recommend any proceedings under the Federal Food and Drugs Act solely upon the ground that berries in such small containers, shipped in interstate commerce or otherwise brought within the jurisdiction of the Food and Drugs Act, bear no statement of the quantity of the contents upon each such container.

The department is of the opinion that berries, peaches, or tomatoes in small open containers which are packed in crates and arranged within the crates in layers or tiers, constitute food in package form within the meaning of the net weight amendment, and that consequently the law requires that the crates shall be marked with a statement of the quantity of the contents. Each such statement should include the number of small containers and the quantity of the contents of each.

156. WALNUTS IN SACKS AND CASES IN PACKAGE FORM.

In view of the fact that doubts have existed as to whether or not walnuts, packed in sacks and cases in which they are customarily offered for importation into the United States or are shipped in interstate commerce, are in package form within the meaning of the net weight amendment to the Federal Food and Drugs Act, importers and other persons are notified that on and after May 1, 1916, walnuts in such sacks and cases which are not marked plainly and conspicuously with the quantity of the contents will be deemed to be misbranded. Foreign shippers should be advised accordingly.

157. CRITICISM OF LABELS OF ARTICLES INVOLVED IN COURT PROCEEDINGS.

The Federal Food and Drugs Act confers no authority upon the Bureau of Chemistry to devise or suggest labels or to approve or criticise labels submitted by manufacturers or others. It frequently happens, however, that when decrees of condemnation and forfeiture have been entered in seizure proceedings under section 10 of the act the court directs delivery of the articles to the claimants upon condition that the articles shall not be sold or otherwise disposed of contrary to the provisions of the Food and Drugs Act or the laws of any State, Territory, or insular possession. In such cases the United States attorneys frequently call for the advice of the bureau in regard to labels submitted by the claimants, with the view of obtaining information as to the form of labeling which the claimants may adopt that will permit the articles to be sold without violating the conditions of the bond. It is the practice of the bureau to comply with such requests. Excepting the labels of articles against which decrees of condemnation and forfeiture have been entered with the direction by the court that the goods may be released for relabeling upon the filing of satisfactory bonds, it is not the practice of the bureau to approve or criticise revisions of labels on packages of foods or drugs or to criticise labels of articles involved in court proceedings.

The bureau publishes from time to time, in its service and regulatory announcements, general information regarding the labeling of food and drugs, and assists manufacturers and others who submit labels by directing attention to applicable provisions of the Food and Drugs Act and of the regulations and to applicable published opinions.

158. LABELING OF GINGER BRANDY, GINGER AND BRANDY, AND GINGER WITH BRANDY.

The Bureau of Chemistry is of the opinion that the use of the terms "ginger brandy," "ginger and brandy," and "ginger with brandy" should be confined to products composed solely of the extractives of ginger dissolved in brandy, and that products sold under the foregoing captions, which contain capsicum, or alcohol from sources other than brandy, are adulterated and misbranded within the meaning of the Food and Drugs Act.

159. LABELING OF FLAVORING EXTRACTS AND OF FLAVORS.

The Federal Food and Drugs Act does not require a statement of the proportion of alcohol on the labels of flavoring extracts used exclusively for food purposes. Extracts which are sold or used for any medicinal purpose should have the proportion of alcohol plainly stated upon the label. The laws of certain States, however, require a statement of the proportion of alcohol on the labels of all flavoring extracts.

Products made in imitation of flavoring extracts and flavors should be labeled so as to indicate plainly that they are imitations; and the word "imitation" should be plainly stated on the label or package as a part of the name of the article.

Flavors in which vehicles other than alcohol are used should be labeled so as to indicate that fact and should conform in strength to the standards for flavoring extracts in Circular 19, Office of the Secretary. Flavoring extracts and flavors which contain smaller proportions of the essential flavoring ingredients than standard extracts should be labeled as dilute flavoring extracts or flavors and also should be labeled so as to show clearly the extent of deviation from standard strength; for example, a lemon extract or flavor containing but 2½ per cent of lemon oil should be labeled plainly and conspicuously as a dilute lemon extract or flavor and as being one-half standard strength.

160. LABELING OF SCOTCH WHISKY.

The expression "Scotch whisky," in the opinion of the Bureau of Chemistry, is applicable only to whisky manufactured in Scotland. Substances labeled or sold as "Scotch whisky" which are not manufactured in Scotland are deemed to be misbranded within the meaning of the Food and Drugs Act.

161. ARTICLES, SOLD UNDER NAMES RECOGNIZED IN INDEX OF U. S. PHARMACOPŒIA, REGARDED AS DRUGS.

In the opinion of the Bureau of Chemistry, an article sold under a name recognized in the index, but not appearing in the text, of the United States Pharmacopœia is a drug within the meaning of section 6 of the Federal Food and Drugs Act. Such an article is adulterated under the provisions of the act if it differs from the standard of strength, quality, or purity as determined by tests laid down in the United States Pharmacopœia official at the time of investigation, unless its own standard of strength, quality, or purity is plainly stated upon the bottle or box or other container.

162. TENTATIVE STANDARDS FOR SABADILLA SEED, SAVORY LEAVES, FENUGREEK SEED, CELERY SEED, AND MANNA.

The following tentative standards have been adopted as a guide for the officials of the Department of Agriculture in the enforcement of the Food and Drugs Act:

Sabadilla seed (*Sabadilla officinalis*):

Sound seed	Not less than 95.0 per cent.
Ash	Not more than 5.0 per cent.
Acid-insoluble ash	Pending further investigation.
Alkaloids	Not less than 3.0 per cent.

Savory leaves (*Satureia hortensis*):

Stems	Not more than 15.0 per cent.
Ash	Not more than 12.0 per cent.
Acid-insoluble ash	Not more than 1.5 per cent.

Fenugreek seed (*Trigonella foenum graecum* L.):

Sound seed	Not less than 95.0 per cent.
Ash	Not more than 5.0 per cent.
Acid-insoluble ash	Pending further investigation.

Celery seed (*Apium graveolens*):

Sound seed	Not less than 95.0 per cent.
Ethereal oil	Not less than 2.0 per cent.
Ash	Not more than 10.0 per cent.
Acid-insoluble ash	Not more than 1.2 per cent.

Manna (the dried saccharine exudation of *Fraxinus ornus* Linné (Fam. Oleaceæ) occurring in irregular, more or less elongated, flattened, 3-sided pieces; externally, yellowish-white, friable, somewhat waxy; internally, whitish, porous, and crystalline in appearance; odor suggestive of maple sugar; taste sweet, slightly bitter, and faintly acrid; it should not consist of the soft, brownish, viscous masses full of impurities, known as fat manna):

Mannite (soluble in 90 per cent alcohol)	Not less than 75.0 per cent.
Moisture (loss at 100° C.)	Not more than 10.0 per cent.
Ash	Not more than 3.0 per cent.
Acid-insoluble ash	Not more than 1.0 per eent.

163. TREASURY DECISION 35719, CONCERNING CANNABIS SATIVA LINNÉ.

TREASURY DEPARTMENT,
Washington, September 25, 1915.

To collectors and other officers of the customs:

The Secretary of Agriculture advises the department, under date of the 20th instant, that some importations of the drug known as the dried flowering tops of the pistillate plants of *Cannabis sativa* Linné are being used for purposes other than in the preparation of medicines, and that, unless used in medicinal preparations, this drug is believed to be injurious to health. He therefore recommends that appropriate instructions be issued to customs officers pursuant to the provisions of section 11, of the Food and Drugs Act, approved June 30, 1906, to refuse admission to the said drug unless it is to be used for medicinal purposes.

Collectors of customs are therefore directed to refuse delivery of all consignments of the said drug upon notice from a representative of the Department of Agriculture of the identification thereof in the course of his examination of samples under the provisions of the Food and Drugs Act, unless the importer shall first execute a penal bond conditioned that the drug referred to will not be sold or otherwise disposed of for any purpose other than in the preparation of medicines. The penalty of the bond shall be in the amount prescribed by the said section 11 for the redelivery of food and drug products, namely, the full invoice value, together with the duty accruing on the drug in question.

(Signed) ANDREW J. PETERS, *Assistant Secretary.*

164. IMMATURE ORANGES AND GRAPEFRUIT.

The Department of Agriculture has been requested by growers and shippers to define its position with respect to the application of the Federal Food and Drugs Act to the transportation in interstate commerce of immature oranges and immature grapefruit. These requests have been accompanied by requests for modification of the tests announced by the department for determining whether oranges and grapefruit are immature.

On April 6, 1911, Food Inspection Decision 133, concerning the coloring of green citrus fruits, was issued. Following the issue of Food Inspection Decision 133 seizures were recommended of immature oranges which had been artificially colored by sweating, either prior to shipment or in transit. These seizures led to numerous requests that the department announce tests for determining the immaturity of oranges.

In Service and Regulatory Announcements, Chemistry 11, information 28, page 752, it was stated that the bureau considers California oranges to be immature if the juice does not contain soluble solids equal to, or in excess of, 8 parts to every part of acid contained in the juice, the acidity of the juice to be calculated as citric acid without water of crystallization. The value of the test laid down in the service announcements has been confirmed by investigations carried on during the season of 1915. In Service and Regulatory Announcements, Chemistry 15, item 144, page 22, the same test was announced for Florida oranges, and a test for grapefruit was announced of 7 parts soluble solids to 1 part of citric acid.

The department, with the information available as the result of its investigations, regards the tests for determining the immaturity of oranges and of grapefruit as being fair, accurate, and reasonable.

Oranges and grapefruit, in common with other articles of food, in the opinion of the department, are adulterated "if they are mixed, coated, colored, powdered, or stained in a manner whereby damage or inferiority is concealed." The only announcement of the department affecting the shipment of immature citrus fruits with which growers and shippers are at present concerned is that given in Food Inspection Decision 133. In that decision the view was stated that green, immature oranges which have been artificially colored by holding in a warm, moist atmosphere for a short period of time after removal from the tree are colored in a manner whereby inferiority is concealed and are therefore adulterated. In the opinion of the department grapefruit which has been similarly treated also is adulterated. The Federal Food and Drugs Act prohibits the shipment in interstate commerce of such oranges and grapefruit.

The department, therefore, gives warning that the transportation and sale in interstate commerce of immature oranges or grapefruit which have been artificially colored (by sweating or otherwise) so as to conceal damage or inferiority, will be regarded as in violation of the Federal Food and Drugs Act and proceedings under that act will be recommended in all cases where sufficient evidence is obtained to justify such action.

165. DRIED BEANS.

The Department of Agriculture has been requested by many growers and shippers to define its position with respect to the application of the Federal Food and Drugs Act to the transportation in interstate commerce of dry pea or navy, medium, and kidney beans. These requests have been prompted by the action of the department in recommending seizures of "cull" beans in sacks and of beans in cans which were found upon examination to contain considerable percentages of beans which were wholly or in part filthy, decomposed, or putrid.

Under the Federal Food and Drugs Act, beans, in common with other articles of food, are adulterated if they consist "in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance." "Cull" beans, in the opinion of the department, usually contain considerable percentages of beans which are wholly or in part filthy or decomposed and are therefore adulterated. The shipment in interstate commerce of such beans for food purposes is prohibited by the act. No objection is entertained, however, to the interstate shipment of "cull" beans for industrial purposes or for use other than as food for man if they are first treated so as to render them unavailable for use as food for man.

The department is informed that dry pea or navy, medium, and kidney beans intended for use as food for man are sent customarily by the growers to elevators where the beans are sorted so as to eliminate the beans which are wholly or in part filthy, decomposed, or putrid. It has been represented that in the process of sorting, nearly all moldy or musty beans are removed, but that it is not practicable to remove all beans which are slightly decomposed. The department has not recommended the seizure of dry and mature pea or navy, medium, and kidney beans which are sorted so as to be as free from beans which are moldy, musty, or otherwise filthy or decomposed as they can be made by hand picking and has not recommended the seizure of field-run beans shipped from one State to another, there to be cleaned and picked before being prepared or used for human food.

166. OATS BLEACHED WITH SULPHUR DIOXID AND OATS CONTAINING ADDED BARLEY.
(Supplementing Item 150 in S. R. A., Chem. 15, p. 24.)

The department has been asked to clarify or modify item 150 in S. R. A., Chem. 15, dealing with oats bleached with sulphur dioxid, and also to explain its position in respect to the mixing of barley and other grains with oats. The department's views are as follows:

First. Oats which, at the time of shipment in interstate or foreign commerce, contain moisture, which has been added by bleaching or other artificial treatment, are adulterated under the Food and Drugs Act. In considering whether any lot of oats contains added moisture, the department is guided by the facts relating to that particular lot and not by the moisture content of other individual lots, nor by the average moisture contents of the crop of oats for that entire year. It is not the practice of the department, however, to recommend seizures or prosecutions on account of added moisture in oats as a result of bleaching unless such added moisture exceeds 1 per cent.

Second. The changing of the color or appearance of oats by treatment with sulphur fumes presents a question as to the application of the part of paragraph 4 of section 7 of the Food and Drugs Act, "in case of food," by which articles of food are declared to be adulterated if they be "mixed, colored, powdered, coated, or stained in a manner whereby damage or inferiority is concealed."

This provision is not a general prohibition against coloring. Under it only those oats are adulterated which are damaged or of inferior quality and which have the damage or inferior quality concealed by the bleaching.

The department is informed that the bleaching of oats does not always conceal damage, but sometimes makes it apparent. In other cases, it is claimed that the bleaching of damaged or inferior oats serves to remove the damage or inferiority rather

than to conceal it. Whether or not the bleaching of oats as commonly practiced conceals damage or inferiority can not be finally decided on the facts now available. Investigations are being conducted, however, with the object of obtaining adequate information on which the department may reach a conclusion as to whether the bleaching of oats conceals damage or inferiority under all conditions, or, if not under all conditions, under what conditions. Pending the conclusion of these investigations and the announcement of the results thereof, the department will not recommend proceedings under the Food and Drugs Act solely upon the ground that oats which have been bleached with sulphur fumes have been colored or stained in a manner whereby damage or inferiority is concealed, provided, that in the case of bulk shipments of oats, the fact that they have been bleached with sulphur dioxid is shown on invoices, bills of lading, and inspection certificates, whenever such certificates are issued, by using the terms "bleached with sulphur dioxid," "sulphur bleached," or "sulphured," and in the case of shipments in bags, the bags are plainly marked to the same effect. The terms "purified," "purified with sulphur process," and the like, are misleading and therefore are not regarded as being proper designations of these products. The department will not hesitate, however, to recommend proceedings under the act, without notice, if it appears that the conditions herein specified are not complied with or if it appears that the bleaching of oats results in actual fraud.

Third. The department is of the opinion that oats containing not over 5 per cent of barley or other grain which has not been added to the oats after they were harvested but which was present with the oats in the field may be designated "oats." The department is further of the opinion that oats with which barley or other grain has been mixed after harvesting are adulterated and misbranded if they are labeled and sold as oats. Such a mixture should be sold, billed (including all railway records), invoiced, and labeled (in case a label is used), as a mixture of oats and the added grain. It is believed that the names of the grains present in the mixture should be given in the order of their weights, beginning with that which is present in the largest amount.

STATE DAIRY, FOOD, DRUG, AND FEEDING-STUFFS OFFICIALS.

The following changes among State officials have been noted since the publication of the list of officials in S. R. A., Chem. 14, pp. 15–20.

LOUISIANA.

† Cassius L. Clay, Acting State Analyst, State Board of Health, New Orleans, succeeding George B. Taylor.

MICHIGAN.

* A. J. Patten, Chemist, Division of Chemistry, Agricultural Experiment Station, East Lansing.

NEW JERSEY.

*† Chas. S. Cathcart, State Chemist, Agricultural Experiment Station, New Brunswick.

OHIO.

* T. L. Calvert, Chief of Dairy and Food Department, Columbus, succeeding S. E. Strode.

OKLAHOMA.

† Chas. K. Francis, Chief Chemist, Agricultural and Mechanical College, Stillwater.

Hardee Chambliss, Assistant Commissioner, Director of Laboratories, Guthrie.

TENNESSEE.

† D. R. Weatherhead, Chief Chemist, Department of Foods and Drugs, Nashville.

H. K. Bryson, Commissioner of Agriculture, Nashville, succeeding T. F. Peck.

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* Commissioned State official. † Collaborating chemist.

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U. S. DEPARTMENT OF AGRICULTURE,
BUREAU OF CHEMISTRY.
C. L. ALSBERG, CHIEF OF BUREAU.

SERVICE AND REGULATORY ANNOUNCEMENTS.

No. 17.

CONTENTS.

FOOD INSPECTION DECISION 164. COLORS IN FOOD. (AMENDMENT TO FOOD INSPECTION DECISIONS 76, 117, AND 129.)

Food Inspection Decision 76 is hereby amended by striking out of the list of permitted dyes contained therein, the words:

Yellow shade:
4. Naphthol yellow S.

and substituting therefor the words:

Yellow shades:
4. Naphthol yellow S.
94. Tartrazine.

Food Inspection Decisions 117 and 129 are also amended so that, hereafter, the coal-tar dyes which may be used in food, subject to the provisions of Food Inspection Decisions 76, 117, and 129, shall be the following:

Red shades:
107. Amaranth.
56. Ponceau 3 R.
517. Erythrosine.
Orange shade:
85. Orange I.
Yellow shades:
4. Naphthol yellow S.
94. Tartrazine.
Green shade:
435. Light green S. F. yellowish.
Blue shade:
692. Indigo disulfoacid.

W. G. MCADOO, *Secretary of the Treasury.*
D. F. HOUSTON, *Secretary of Agriculture.*
WILLIAM C. REDFIELD, *Secretary of Commerce.*

WASHINGTON, D. C., *January 11, 1916.*

FOOD INSPECTION DECISION 165. CACAO PRODUCTS.

The following definitions and standards for cacao products were adopted by the Joint Committee on Definitions and Standards June 4, 1915, and were approved by the Association of American Dairy, Food, and Drug Officials August 3, 1915, and by the Association of Official Agricultural Chemists November 17, 1915:

Cacao beans, cocoa beans, are the seeds of the cacao tree, *Theobroma cacao* L.

Cacao nibs, cocoa nibs, cracked cocoa, is the roasted, broken cacao bean freed from its shell or husk.

Chocolate, plain chocolate, bitter chocolate, chocolate liquor, chocolate paste, bitter chocolate coatings, is the solid or plastic mass obtained by grinding cacao nibs without the removal of fat or other constituents except the germ.

Chocolate, plain chocolate, bitter chocolate, chocolate liquor, chocolate paste, bitter chocolate coatings, contains not more than three per cent (3%) of ash insoluble in water, three and fifty hundredths per cent (3.50%) of crude fiber, nine per cent (9%) of cacao starch, and not less than forty-five per cent (45%) of cacao fat.

Sweet chocolate, sweet chocolate coatings, is chocolate mixed with sugar (sucrose), with or without the addition of cocoa butter, spices, or other flavoring materials.

Sweet chocolate, sweet chocolate coatings, contains in the sugar- and fat-free residue no higher percentage of ash, fiber, or starch than is found in the sugar- and fat-free residue of chocolate.

Cocoa, powdered cocoa, is cacao nibs, with or without the germ, deprived of a portion of its fat and finely pulverized.

Cocoa, powdered cocoa, contains percentages of ash, crude fiber, and starch corresponding to those in chocolate after correction for fat removed.

Sweet cocoa, sweetened cocoa, is cocoa mixed with not more than 60 per cent (60%) of sugar (sucrose).

Sweet cocoa, sweetened cocoa, contains in the sugar- and fat-free residue no higher percentage of ash, crude fiber, or starch than is found in the sugar- and fat-free residue of chocolate.

Milk chocolate, milk cocoa, sweet milk chocolate or sweet milk cocoa, respectively, is chocolate, cocoa, sweet chocolate or sweet cocoa which contains not less than twelve per cent (12%) of whole milk solids in the finished product.

The foregoing definitions and standards are adopted as a guide for the officials of this department in enforcing the Food and Drugs Act.

D. F. Houston, *Secretary of Agriculture.*

Washington, D. C., *February 15, 1916.*

167. EXPLANATORY STATEMENT REGARDING FOOD INSPECTION DECISION 165.

Food Inspection Decision 165 modifies the definitions for cacao products given in Circular 19, to which reference is made in Food Inspection Decision 136. Accordingly Food Inspection Decision 136 is modified in so far as it applies to these definitions, but the ruling with regard to the treatment of cocoa with alkali is still effective.

FOOD INSPECTION DECISION 166. (AMENDING FOOD INSPECTION DECISION 115.) ROCKY FORD MELONS.

Investigations conducted by the department have disclosed that the term "Rocky Ford," as applied to muskmelons, has come to mean a particular type of muskmelon which is grown in various localities in the United States. In paragraph (*c*) of Regulation 19 of the Rules and Regulations for the Enforcement of the Food and Drugs Act of June 30, 1906, it is provided that "the use of a geographical name in connection with a food or drug product will not be deemed a misbranding when by reason of long usage it has come to represent a generic term and is used to indicate a style, type, or brand; but in all such

cases the State or Territory where any such article is manufactured or produced shall be stated upon the principal label."

The department, therefore, will not regard as being misbranded muskmelons of the Rocky Ford type labeled "Rocky Ford," which are grown in other localities than Rocky Ford, Colo., provided the name of the State or Territory where the melons are produced is stated on the principal label.

Food Inspection Decision 115 is amended accordingly.

D. F. HOUSTON, *Secretary of Agriculture.*

WASHINGTON, D. C., *March 29, 1916.*

FOOD INSPECTION DECISION 167. USE OF GUARANTY LEGENDS AND SERIAL NUMBERS ON LABELS AND CONTAINERS PRINTED OR MARKED PRIOR TO MAY 5, 1914. (AMENDING FOOD INSPECTION DECISIONS 153 AND 155.)

It has been made to appear that (1) dealers in food and drugs have on hand a great many labels and containers printed or marked prior to the date of Food Inspection Decision 153 (May 5, 1914); (2) these labels and containers bear the legend "Guaranteed by (name of guarantor) under the Food and Drugs Act, June 30, 1906," or a serial number issued by the United States Department of Agriculture, or both; (3) these labels and containers, when so printed or marked, compiled with the rules and regulations for the enforcement of the Food and Drugs Act in effect at the time; and (4) great financial loss will result to such dealers, through their inability to use these labels and containers, if Regulation 9, as amended by Food Inspection Decisions 153 and 155, be enforced beginning on May 1, 1916.

Accordingly, proceedings under the Food and Drugs Act, based on the shipment in interstate or foreign commerce, or the sale in the District of Columbia or the Territories, prior to May 1, 1918, of any article of food or drugs, will not be instituted solely on account of the fact that the label thereon or the container thereof bears the legend "Guaranteed by (name of guarantor) under the Food and Drugs Act, June 30, 1906," or a serial number issued by the United States Department of Agriculture, or both, upon it being established that such label or container was so printed or marked prior to May 5, 1914.

BYRON R. NEWTON, *Acting Secretary of the Treasury.*
D. F. HOUSTON, *Secretary of Agriculture.*
E. F. SWEET, *Acting Secretary of Commerce.*

WASHINGTON, D. C., *April 18, 1916.*

168. EXPLANATORY STATEMENT REGARDING FOOD INSPECTION DECISION 159.

Food Inspection Decision 159 states that certificates for mixtures of coal-tar dyes with other substances will not be accepted unless accompanied by a declaration by the manufacturer that each package of the mixture shall bear a statement of the quantity or proportion of the certified dye, or dyes, present in the mixture. It is not intended to require manufacturers to declare upon their labels the trade formula for each mixture by giving the amount of each dye present in the mixture, but the label should state the total amount of all certified dyes present.

The exact formula of each mixture must, however, be deposited with the Secretary of Agriculture, as provided in Food Inspection Decisions 77, 106, and 129.

169. STATEMENT OF NET WEIGHT ON UNLABELED CANNED GOODS.

Canned foods, in the opinion of the department, are "in package form," within the meaning of the Food and Drugs Act, as amended, and it is held

that, irrespective of whether they are otherwise labeled, such foods are misbranded if the quantity of the contents be not plainly and conspicuously marked on the outside of the cans.

170. HOMOGENIZED CREAM AND HOMOGENIZED OR EMULSIFIED MIXTURES IN SEMBLANCE OF CREAM.

The term "homogenized cream" can be applied properly only to genuine cream which has been subjected to a homogenizing process, whereby it is made to appear thicker; because of this change in appearance all homogenized cream should be so labeled.

The various emulsified mixtures which have more or less the semblance of cream, such as mixtures of butter or butter fat with skimmed milk or milk powder and water, or mixtures of heavy cream with milk powder and water, are neither "cream" nor "homogenized cream," and can not be legally sold in interstate commerce under either of these names. Since such products resemble genuine cream, they should, in the opinion of the bureau, be labeled and sold under names making known their true nature.

171. INTERSTATE SHIPMENT OF ADULTERATED EGGS.

The Department of Agriculture has had under consideration for some time the application of the Federal Food and Drugs Act to the shipment in interstate commerce of eggs in the shell, especially the two classes of eggs known in the trade as "current receipts" and "rejects" from candling rooms. "Current receipts" contain at different seasons of the year varying proportions of eggs which are filthy, decomposed, or putrid. "Rejects" from candling rooms, as a rule, contain large proportions of eggs which are filthy, decomposed, or putrid, and very small proportions of eggs suitable for consumption.

Under the Food and Drugs Act, eggs, in common with other articles of food, are adulterated if they consist wholly or in part of a filthy, decomposed, or putrid substance. Section 2 of the act prohibits the shipment in interstate commerce of foods which are adulterated, and it is plain that this prohibition applies to the shipment in interstate commerce of "current receipts" or of "rejects" from candling rooms or of any other grade of eggs in the shell unless the filthy, decomposed, or putrid eggs have been removed.

In the opinion of the department, shipments consisting in whole or in part of eggs which contain yolks stuck to the shell, moldy eggs, black spots, mixed rots, addled eggs, black rots, and any other eggs which are filthy, decomposed, or putrid are in violation of the law.

The investigations of the department have shown that it is commercially practicable, by the method of candling, substantially to eliminate from any given shipment the eggs which are filthy, decomposed, or putrid. It is not the practice of the department to base proceedings under the Food and Drugs Act on shipments of eggs unless there are present larger percentages of bad eggs than are ordinarily present in recognized commercial grades of candled eggs. The department is informed that in commercial practice cases of eggs do not receive even the lowest candled egg grades if the cases contain more than one and one-half dozen, or 5 per cent, of bad eggs. Country shippers who are not certain of the freshness of their eggs should candle them before shipping them in interstate commerce.

Eggs which are adulterated may be shipped in interstate or foreign commerce for use in tanning or other technical ways without violating the provisions of the Food and Drugs Act only if they are first denatured so as to render them incapable of being used for food. Since it is impracticable to denature eggs

in the shell, adulterated shell eggs must be broken out and denatured prior to shipment. The views of the department with respect to the denaturing of eggs are stated in Service and Regulatory Announcements, Chemistry 7, information 19, and in Service and Regulatory Announcements, Chemistry 12, opinion 102.

172. LABELING OF SO-CALLED EGG SUBSTITUTES.

Inquiries received by the bureau indicate that a misapprehension exists as to its views with respect to the labeling of so-called egg powders and egg substitutes, referred to in Service and Regulatory Announcements, Chemistry 3, opinion 23.

The bureau regards the expression "egg powder" as being synonymous with the expression "powdered egg," and is of the opinion that an article which does not contain powdered egg, or which contains powdered egg and other ingredients, is misbranded within the meaning of the Food and Drugs Act if labeled as "egg powder" without qualification. An article composed of powdered egg and other ingredients should be labeled so that it will clearly appear that other ingredients are present.

The bureau is also of the opinion that an article of food should not be labeled "egg substitute" or otherwise labeled so as to indicate that it will take the place of eggs unless the article possesses the properties of eggs. Whether or not a given article possesses these properties should be determined by each manufacturer for himself before shipping it in interstate commerce or otherwise bringing it within the jurisdiction of the Federal Food and Drugs Act. Experimentation will usually be found necessary, inasmuch as it cannot be satisfactorily determined whether an article will take the place of eggs by consideration of a formula alone. The Bureau of Chemistry is without authority to conduct experiments to determine for individual manufacturers whether their products will accomplish the results claimed for them. It is incumbent upon each manufacturer of articles which he proposes to put on the market as substitutes for eggs, as in the case of manufacturers of any other article of food, to satisfy himself that the package or label bears no statement which is false, misleading, or deceptive.

173. USE OF SAPONIN IN FOOD PRODUCTS.

The bureau has received frequent inquiries as to the propriety of using saponin in food products. This substance is used extensively in products which are sold as so-called substitutes for white of egg for use in the preparation of meringues, frostings, fillings, marshmallows, and similar products. It appears that saponin is used in these products solely as a foam producer and has in most cases the result of giving them a fictitious appearance of body and therefore of food value. The Food and Drugs Act specifically defines a product as adulterated if it be mixed, colored, powdered, coated, or stained in a manner whereby damage or inferiority is concealed. After careful consideration the bureau has reached the conclusion that the addition of saponin to food products as usually practiced results in concealing damage or inferiority and, therefore, constitutes adulteration within the meaning of the Food and Drugs Act.

174. USE OF THE TERM "SPARKLING WINE."

Sparkling wine is wine which contains no carbon dioxid other than the carbon dioxid which is generated and remains within it in the process of fermentation. The term "Sparkling Wine" should not be applied to wine to which carbon dioxid has been added.

175. LABELING OF BEER, MALT EXTRACTS, AND PORTER.

The following statements express the opinion of the bureau regarding the labeling of beer, malt extracts, and porter.

Malt extract, a product recognized in the United States Pharmacopœia, is a sirup of the consistency of thick honey prepared by extracting malt with water under certain conditions and evaporating it at such a temperature as to preserve the diastatic properties of the malt. One purpose of such concentration is to prevent fermentation. Fermented products of the nature of heavy beer are not malt extracts and are not entitled to be called such. Neither do they come within the exemptions of the law which permit a product to differ from the strength, quality, or purity laid down in the Pharmacopœia, provided it is labeled to show its own standard of strength, quality, or purity, for the reason that these fermented products differ in kind rather than in strength, quality, or purity. There are also on the market at this time preparations with fanciful names, of which the word "malt" forms a part, the rest of the names giving no indication of the nature of the ingredients. Such names are misleading unless the products are produced from malt only, and if other cereal or cereal product has been substituted in part for malt, the product should be labeled as a compound, and the ingredients named.

The name of a country, city, province, or other locality stated on the label of beer or other beverage without qualification is regarded as indicating that the beverage is actually manufactured or produced in that particular country, city, province, or locality. Products thus labeled, which are not actually manufactured or produced in the specified country, city, province, or locality are regarded as misbranded within the meaning of the Food and Drugs Act. No objection, however, is taken to the use of geographical names which have become generic and which are used solely to indicate the style or type of the beverages, provided that the beer or other beverage is actually of the style or type it purports to be, and provided further that the label bears a plain and conspicuous statement of the place where the product is actually manufactured or produced. In such cases the word "Style" or "Type" should immediately follow the geographical name and be plainly and conspicuously displayed. A beverage to be of a certain style or type should be prepared by the same general method of manufacture, from the same kind of materials, and the finished product should have similar composition to and possess the characteristic color and flavor of the beverage, the style or type of which it purports to be.

The use in connection with beers or other beverages of the word "Export," coupled with the name of a foreign country, city, province, or other locality without qualification, conveys the impression that the beer or other beverage is actually manufactured in the specified foreign locality for export to the United States, and if such is not the fact, the beer or other beverage thus labeled is misbranded under the Food and Drugs Act. Further, the word "Export" is improper in connection with beer or other beverages of domestic production which are manufactured or produced exclusively for domestic trade.

Investigations show that there are on the market beverages bearing on the label statements such as "Malt and Hops," "Made from Malt and Hops." "Prepared Exclusively from Malt and Hops," accompanied in some cases by representations of barley and hop clusters so that the label creates the impression that the beverages are manufactured or produced solely from malt and hops. Analyses of these products show, however, that in the process of manufacture other substances have been substituted for malt. Such products are clearly labeled in a false and misleading manner and are consequently in violation of the law.

Porter is a dark, heavy ale prepared with the use of some caramel or roasted malt. There are on the market beers and light ales colored with caramel or similar coloring matters which are sold under the name of porter. These products are in imitation of porter and should be so labeled.

Regarding the term "Bock Beer," investigations of this bureau have shown that this is a strong beer brewed from a wort of at least 13° Balling. Beer designated as "Bock," prepared from ordinary beer to which coloring matter has been added for the purpose of imitating bock beer, is adulterated and misbranded if labeled as bock beer.

176. COTTONSEED MEAL AND COTTONSEED HULLS CONTAINING SALT.

It has come to the attention of the department that a product consisting largely, if not entirely, of common salt is being used to preserve cotton seed. As a result of using this preservative the cottonseed meal, cottonseed cake, and cottonseed hulls, prepared from such cottonseed, contain varying quantities of salt.

The above-mentioned cottonseed products containing salt are misbranded and adulterated under the provisions of the Federal Food and Drugs Act if they are labeled or offered for sale under the names cottonseed meal, cottonseed cake, or cottonseed hulls. Products of the kind described, containing salt, in the opinion of the bureau, should be labeled so as to show plainly the presence of salt, as for example, "Cottonseed meal with salt," or "Cottonseed meal with —% salt."

SAMPLES OF DYES SUBMITTED WITH CERTIFICATES.

Samples of coal tar dyes which are submitted with certificates under the provisions of Food Inspection Decisions 76, 77, 106, 129, 159, and 164 should be forwarded by the manufacturer to the Bureau of Chemistry, Washington, D. C.

BRANCH LABORATORY MOVED TO MINNEAPOLIS.

The branch food and drug inspection laboratory which was located in the Old Capitol Building at St. Paul has been moved to the Federal Office Building in Minneapolis, Minn. This transfer was made because an opportunity was afforded to secure satisfactory quarters in a Federal building. The present address of the laboratory is Room 310, Federal Office Building, Third Street and Marquette Avenue, Minneapolis, Minn.

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U. S. DEPARTMENT OF AGRICULTURE,
BUREAU OF CHEMISTRY.
C. L. ALSBERG, Chief of Bureau.

SERVICE AND REGULATORY ANNOUNCEMENTS.

No. 18.

CONTENTS.

177. ERGOT IN CARAWAY SEED.

An examination of a recent importation of caraway seed showed a considerable number of more or less ergotized fruits. Caraway seed containing ergot is considered to be adulterated under the Food and Drugs Act.

178. ADULTERATED MARJORAM REFUSED ENTRY.

An examination of a recent importation of marjoram leaves showed the presence of finely cut leaves of *Coriaria myrtifolia*. This adulterant contains a poisonous principle which may render the article injurious to health. Therefore, it will be recommended that importations of marjoram leaves containing it be excluded.

179. POPPY SEED CONTAINING HENBANE SEED.

The attention of the bureau has been called to the fact that commercial poppy seed (*Papaver somniferum* L.) sometimes contains toxic henbane seed (*Hyoscyamus niger* L.). It will be recommended that shipments of poppy seed be refused admission if they contain more than 0.05 per cent of henbane seed.

180. LABELING OF U. S. P. OR N. F. ARTICLES NOT CONFORMING TO STANDARD.

(Supplementing Item 161 in S. R. A, Chem. 16.)

With reference to the labeling of drugs recognized in the United States Pharmacopœia or National Formulary but which do not conform to the standard of strength, quality, or purity, as determined by the tests laid down therein, in the opinion of the bureau, the label should bear either a statement to the effect that the drug is

not a United States Pharmacopœia or National Formulary article, together with a statement showing its own actual strength, quality, or purity, or a clear and exact statement of the nature and extent of the deviation from the standard of strength, quality, or purity set out for the article in the United States Pharmacopœia or National Formulary. Item 161, Service and Regulatory Announcements, Chemistry 16, is modified accordingly.

181. MIXTURES OF COFFEE CHAFF AND COFFEE SCREENINGS WITH COFFEE.

Coffee is the seed of *Coffea arabica* or *Coffea liberica*, freed from all but a small portion of the spermoderm. Coffee chaff and coffee screenings are not coffee, and mixtures of these with coffee are adulterated and misbranded under the provisions of the Food and Drugs Act, if labeled, sold, or offered for sale as coffee.

182. LABELING OF COFFEES PRODUCED IN THE DUTCH EAST INDIES.

In view of the shortage of Java coffee the bureau has been requested to advise whether mixtures consisting of Java and Sumatra may be labeled as Java coffee. As stated in Food Inspection Decision 82, coffee grown in Sumatra may be labeled either as "Sumatra" or as "Dutch East Indian" coffee. The bureau regards as misbranded mixtures of Mocha and Sumatra coffee if labeled as "Mocha and Java" coffee.

183. IMPORTED WINES FERMENTED IN THE UNITED STATES.

Wines imported from foreign countries in casks or barrels and thereafter fermented in bottles in the United States, in the opinion of the bureau, should be labeled so as to show that the wines are fermented and bottled in the United States.

184. EXAMINATION OF TOMATO PRODUCTS.

The Department of Agriculture has been requested to inform manufacturers and dealers in tomato products of the tests which it applies in arriving at its decision whether to recommend proceedings under the Food and Drugs Act against tomato products.

Under section 7 of the act articles of food are adulterated if they are found to consist in whole or in part of filthy, decomposed, or putrid animal or vegetable substances. In Circular 68 of the Bureau of Chemistry there were announced the numbers of yeasts and spores, bacteria, and molds which, in the opinion of the department, may ordinarily be found in tomato products handled with reasonable cleanliness in the process of manufacture. Examination of a large number of tomato products and tomato canneries convinces the department that it is entirely practicable for manufacturers to keep the yeasts and spores, bacteria, and molds within the limits stated in Circular 68. Though the department has not recommended proceedings under the Food and Drugs Act unless the product, upon examination under the conditions prescribed in Circular 68, was found to contain yeasts and spores, or bacteria, or mold filaments in excess of the following numbers: Yeasts and spores per 1/60 cubic millimeter 125; bacteria per cubic centimeter 100,000,000; mold filaments in 66% of the microscopic fields, it is considering the adoption of figures approaching those given in Circular 68. When such a scale has been adopted public announcement will be given.

Since Circular 68 was issued there are being produced in increasing quantities tomato products of varying degrees of concentration. The department is considering the adoption of a scale for testing tomato products, varying with the degree of concentration. If it is decided to adopt such a scale, public announcement will be given.

185. IMPORTATION OF CRUDE PEPPERS.

It has been represented to the department that crude peppers are ordinarily sold in the markets of the world on the basis of recognized commercial grades, and that all peppers contain light berries in varying quantities, and that peppers as picked and cured in the countries where grown contain small percentages of dust, including

within the meaning of that term stalks, stones, clay, and other foreign matter. It is not the intention of the department, until notice to the contrary is given, to recommend the detention of crude peppers offered for entry in the same condition in which picked and cured in the countries where grown which conform to specified commercial grades, provided the peppers are found upon examination not to be wormy or otherwise to consist in whole or in part of a filthy, decomposed, or putrid substance, or in any wise to be injurious to health. On the other hand, the department will continue to recommend that importations of crude peppers be detained if upon examination they are found to be wormy or otherwise to consist in whole or in part of a filthy, decomposed, or putrid substance, or in any wise to be injurious to health, or do not conform to a specified commercial grade, or to contain pepper shells or other added adulterants.

Ground peppers will be regarded as adulterated and misbranded if upon examination they are found not to comply with the definitions and standards in Circular 19, Office of the Secretary of Agriculture.

186. ADDED WATER IN LARD SUBSTITUTES AN ADULTERATION.

Compounds and other lard substitutes containing added water are regarded as adulterated under the Food and Drugs Act, even if the added water is declared on the label.

187. LABELING OF GRAPE JUICE AND LOGANBERRY JUICE.

Sugar added to grape juice, loganberry juice, or other fruit juices, should be declared upon the label. Articles labeled as "grape juice," "loganberry juice," or as the juice of any fruit, are adulterated if they contain added water.

188. CEREAL IN SAUSAGE SEASONING.

It has come to the attention of the bureau that cereal is sometimes added to the mixture of spices sold as sausage seasoning. Cereals are not spices and are not recognized ingredients of sausage seasoning. Articles labeled or sold as sausage seasonings, which contain added cereal, are considered to be adulterated and misbranded, unless the articles are plainly labeled so as to show the presence of cereal.

189. LABELING OF WHITEFISH AND LAKE HERRING.

Questions regarding the proper labeling of certain fish, to which Food Inspection Decision No. 105 relates, have been referred to the Bureau of Fisheries, which has furnished the following information:

The genera *Coregonus* and *Leucichthys* (formerly *Argyrosomus*) both belong to the whitefish subfamily (Coregoninæ) of the family Salmonidæ.

The genus *Coregonus* in the Great Lakes includes the common whitefishes, *C. albus* of Lake Erie, *C. clupeaformis* of the other lakes, and *C. quadrilateralis* or Menominee.

The genus *Leucichthys* comprises a number of species of various sizes and appearances, known to the fishermen by different names, according to locality and appearance. Some are called lake herring, bloater, cisco, long-jaw, etc., and there is a blackfin (*L. nigripinnis*) in Lake Michigan and a blue-fin (*L. cyanopterus*) found in Lake Superior.

The members of the genus *Leucichthys* are all entitled to the name lake herring, and the members of the genus *Coregonus* may be called whitefish.

190. USE OF WORD "MAIZE" FOR OTHER GRAINS.

Information has been requested as to the application of the word "maize" to milo, kafir, and feterita. It is the opinion of the department that the word maize is not applicable to kafir, milo, and feterita, but that these products are all included under the general name of "grain sorghum." Milo should be referred to as "milo" and not as "milo maize." Kafir should be referred to as "kafir" and not as "kafir corn."

191. COTTONSEED MEAL AND COTTONSEED HULLS CONTAINING SALT. (Supplementing Item 176 in S. R. A., Chem. 17.)

It has come to the attention of this bureau that item 176, Service and Regulatory Announcements, Chemistry 17, has been construed by members of the cottonseed trade as meaning that common salt even in small quantities, when mixed with cottonseed meal or hulls, is considered injurious to animals. Just what proportion of salt can be fed with these products without deleterious effect has not been determined, but pending a further investigation of this question the bureau will not object to the presence of salt in small quantities in cotton seed or cottonseed products, provided they are labeled to show that salt is present.

192. SUGGESTED PROCEDURE FOR THE COMMERCIAL DENATURING OF EGGS, EGG YOLK, AND EGG ALBUMEN.

Eggs to be denatured should first be broken out and placed in a barrel or similar container.

Add 2 per cent, by weight, of birch tar oil or of power distillate. Thoroughly mix the eggs and denaturant in a revolving drum or barrel churn for 10 to 15 minutes, or, in the absence of a mechanical apparatus, stir with a paddle or mixing ladle until the denatured product is uniform in appearance. This will require 10 to 15 minutes constant stirring.

Salt may be used, in addition, for preserving or for further denaturing tanners' egg yolk.

For denaturing dry egg albumen, add 13 per cent, by weight, of birch tar oil or of power distillate, and mix until the mass is uniform. This amount of denaturant is equivalent to 2 per cent on a basis of liquid albumen containing about 85 per cent of water.

193. CHEESE IN PACKAGE FORM.

The bureau is of the opinion that the Net Weight Amendment to the Food and Drugs Act requires that the quantity of the contents shall be plainly and conspicuously marked upon the following-described packages of cheese:

Domestic.

American cheeses of the cheddar type: Boxes or drums, containing from 1 to 4 cheeses, according to size, cheddars, twins, daisies, twin daisies, long horns and young Americas, sage, spiced, and pimiento in daisy and young America styles.

Camembert type: Individual cheeses packed in boxes.

Potted: Jars, and cartons inclosing such jars, containing luncheon or club, pimiento, Roquefort, Parmesan, and other varieties.

Cottage and other varieties of soft cheeses packed in paraffined paper pails.

Philadelphia cream, Isigny type, luncheon, pimiento, snappy, and other varieties, wrapped in paper or in paper and metal foil.

Individual wrapped domestic cheeses of the Neufchâtel and Brie types.

Individual cheeses of the brick and Limburger types when wrapped in paper, with or without foil or paraffin coating.

Pineapple: Boxes or cases containing a number of unwrapped units.

Hand Käse: Boxes or cases containing a number of unwrapped units or units loosely wrapped in muslin or paper.

Münster: Individual cheeses wrapped in paper.

Imported.

Edam: Individual cheeses wrapped, covered with tinfoil, or packed in tin cans.

Roquefort: Individual cheeses wrapped in tinfoil and parchment paper.

Camembert: Wooden boxes or tins containing individual cheeses.

The following cheeses when prepared as described are at present considered not to be in package form within the meaning of the Net Weight Amendment, although the question is not entirely free from doubt:

Domestic.

Swiss type: In loaves weighing 100 pounds each, and packed in tubs, usually 4 loaves to the tub.

Imported.

Swiss: In loaves weighing from 100 to 250 pounds each, usually packed 4 or 5 loaves to the tub.

Edam: Unwrapped.

Sap Sago: In casks containing about 225 pounds; or half casks containing about 100 pounds.

Reggiano or Roman: Unwrapped, packed 4 loaves to the tub, each loaf weighing 40 to 60 pounds.

Parmesan: Unwrapped, packed in tubs of 4 loaves, the loaves weighing from 30 to 50 pounds.

Gouda: Packed in cases containing 4 cheeses, each weighing 10 to 45 pounds.

Stilton: In loaves weighing about 12 pounds, packed in boxes.

Gorgonzola: Packed in baskets containing 10 or more loaves, the loaves weighing about 20 pounds each.

194. UNLABELED CANNED GOODS, (Amendment to Item 169 in S. R. A., Chem. 17.)

Until further notice, the department will not recommend proceedings under the Food and Drugs Act on account of the shipment in interstate commerce, or the sale in the District of Columbia or the Territories, of unlabeled canned foods solely upon the ground that the same do not bear a statement of the quantity of the contents, if such shipment or sale be other than to a retail dealer or to a consumer and the cans bear a correct statement of the quantity of the contents when sold or delivered to retail dealers and consumers. If investigation discloses that failure to mark the quantity of the contents on unlabeled cans affords means to defraud or to defeat the purposes of the act, it will be the duty of the department to recommend proceedings, and reasonable notice to that effect will be given.

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